



**DEPARTMENT OF FAIR EMPLOYMENT
AND HOUSING
ENFORCEMENT DIVISION
*DIRECTIVE***

**DIRECTIVE
NUMBER
231**

**DISTRIBUTION
DATE
October 1, 1998**

1. **SUBJECT: TRANSFER OF CASES BETWEEN OFFICES FOR INVESTIGATION**
2. **PURPOSE:** To set forth the procedures to be followed when a case is transferred from one District Office to another for investigation.
3. **BACKGROUND:** On occasion, it may be necessary for cases to be sent from the District Office where they are filed and registered to another District Office for investigation. When this occurs, it is necessary that certain procedures be followed to ensure that such cases are properly closed and credited to the appropriate office for statistical purposes. Also, each District Office involved must be aware of its responsibilities for the case. It is to be understood that when a District Administrator releases a case to another office for investigation, *the authority for all decisions regarding the case* is also released to the *processing office*.
4. **PROCEDURES:**
 - A. **Definitions:**
 - 1) The "**office of origin**" is the District Office where the complaint is filed and registered.
 - 2) The "**receiving office**" is the District Office that will be investigating the complaint.
 - B. **Conditions For Transferring:**

Possible reasons for transferring a case from one office to another for investigation are as follows:

 - 1) Where there is a conflict of interest (refer to Directive 104, "Conflict of Interest in Case Processing");
 - 2) District Office staffing limitations;
 - 3) The need to equalize caseloads;

- 4) When a Consultant is transferred to another office his/her cases are transferred with him/her;
- 5) The transfer will result in greater efficiency.

C. **Authority For Transferring Cases:**

All instances of transferring cases between offices for investigation must have the concurrence of the Regional Administrator(s).

D. **Procedures For Transferring Cases:**

- 1) All cases transferred between offices will be recorded and mailed by Certified Mail - Return Receipt Requested.
- 2) The cases will be assigned to Consultants within **two working days** of receipt in the *receiving office*.
- 3) Support staff of the *receiving office* will be responsible for sending a DFEH-200-40 to the complainant and the respondent's representative as a notification of the transfer and the name of the new Consultant.
- 4) After a case has been transferred, any communications received by the office of origin from the complainant, respondent, or witnesses (whether contact is by telephone, in writing, or in person) will be promptly relayed to the office where the case has been transferred.
- 5) All case processing and decisions regarding the investigation of the case will be performed by the *receiving office*.
- 6) When the case is ready to be closed, the closing report (DFEH-400-20 or DFEH-600-20) will be signed by the District Administrator (or a representative) of the *receiving office* and the EDP Update/Closure Report (DFEH-800-02) completed.

E. **Clerical Processing and CMIS Procedures:**

When cases are transferred between District Offices for investigation, CMIS data regarding these cases also must be transferred between offices. For instructions on "*exporting*" and "*importing*" case information in the CMIS, please refer to the January 14, 1997 "CMIS Guide to Importing and Exporting Cases."

5. **APPROVAL:**

Nancy C. Gutierrez, Director

Date